

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

CIVIL ACTION NO.
03-12551-MBB

FRANK SACO
Plaintiff,

vs.

TUG TUCANA & TUG TUCANA
CORPORATION,
Defendants.

DEFENDANT, TUG TUCANA CORPORATION'S, SUPPLEMENT TO ITS
MOTION TO PRECLUDE DR. SALLY RUDICEL FROM TESTIFYING AT
TRIAL AND MOTION TO EXCLUDE THE PLAINTIFF FROM OFFERING
DR. SALLY RUDICEL'S MEDICAL REPORTS AS INADMISSIBLE HEARSAY

Now comes the defendant, Tug Tucana Corporation, in the above-entitled action, by and through its undersigned counsel, Clinton & Muzyka, P.C., and respectfully submits the enclosed case, entitled *Lehan v. Ambassador Programs, Inc., 190 F.R.D. 670 (E.D. Wash. 2000)*, as additional support for arguments set forth in its motion to preclude Dr. Sally Rudicel from testifying for the plaintiff at trial and its motion to exclude Dr. Rudicel's medical reports as inadmissible hearsay.

WHEREFORE, the defendant, Tug Tucana Corporation, submits the *Lehan* rationale and holding strongly supports the defendant's motion to preclude the plaintiff from offering the testimony of Dr. Rudicel and also for the legal rationale for precluding the admission of Dr.

Rudicel's reports pursuant to Federal Rule of Evidence
802.

By its attorneys,
CLINTON & MUZYKA, P.C.

"/s/Thomas J. Muzyka"

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